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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,499	10/07/2005	Hiroshi Kodera	050-113	2278
Apex Juris 13194 Edgewater Lane Northeast Seattle, WA 98125			EXAMINER SINGH, KAVEL	
			ART UNIT 3651	PAPER NUMBER
			MAIL DATE 06/13/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/552,499

Applicant(s)

KODERA, HIROSHI

Examiner

KAVEL P. SINGH

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/24/08 has been entered.

Response to Arguments

Applicant's arguments with respect to claim 1-4 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki U.S. Patent No. 5,826,697 in view of Kobayashi U.S. Patent No. 5,609,463. Claim 1, Mochizuki teaches a receiving portion (4) with directionality for receiving a waterproof seal (2 as taught by Kobayashi) which is a disc-like rotating body (4) with inclination in a predetermined angle (Fig. 1 of Mochizuki); a receiving recess (6) radially provided at the periphery of the receiving portion (4) to be released in an outside of an

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axial right angle of the receiving portion (4) and an upper surface (Fig. 1), the receiving recesses (6) receive the waterproof seal (2 of Kobayashi) with top thereof directing a center of the receiving portion (4) (Fig. 1); a cover (7) for restricting a movement of the receiving portion (4) of the waterproof seal (2 of Kobayashi) received by the receiving recess (6) toward the outside of the axial right angle and surrounding the periphery of the receiving portion (4) (Fig. 1); a take-out means with a take-out exit opening at an inner circumferential surface of the cover (7) to taking out the waterproof seal (2 of Kobayashi) received in the receiving recess (6) in the axial right direction; a moving means (1) for moving the receiving recess (6) from a receiving region where the waterproof seal (2 of Kobayashi) is received by the receiving recess (6) to the take-out means (12) by way of a rotational motion of the receiving portion (4) (C3 L3-5); and an exclusion means for eliminating a chance of moving the waterproof seal (2 of Mochizuki) which is not received by the receiving recess (6) and is among the waterproof seals (2 of Mochizuki) from the receiving region to the take-out means (12) (C3 L1-5). It would be obvious to one of ordinary skill to use waterproof seals as taught by Kobayashi into the invention of Mochizuki in order to protect the wire harnesses of the part arranger.

Claim 3, Mochizuki teaches the has a stepping motor (1); and the controlling means, when taking out the waterproof seal (2 of Kobayashi) by the taking out means (12), controls the moving means (1) to stop the movement of the receiving portion (4) (Abstract). It would be obvious to one of ordinary skill to use waterproof seals as taught

by Kobayashi into the invention of Mochizuki in order to protect the wire harnesses of the part arranger.

Claim 4, Mochizuki does not teach as Kobayashi teaches the waterproof seal (2) supplied from the parts feeder in inserted in an end of an electrical transmission cable; and a connecting terminal is attached to perform press-connection (C7 L1-5).

Allowable Subject Matter

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Kavel P. Singh whose telephone number is (571) 272-2362. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/
Supervisory Patent Examiner, Art
Unit 3651

KPS